Supreme Court of Florida

FRIDAY, OCTOBER 28, 2016

CASE NO.: SC14-1369
Lower Tribunal No(s).:
2D13-192 ; 94-CF-1450

IRA DEMETRIUS MCPHERSON vs. STATE OF FLORIDA

Petitioner(s) Respondent(s)

Upon review of the responses to this Court's Order to Show Cause dated August 24, 2016, the Court has determined that it should accept jurisdiction in this case. It is ordered that the Petition for Review is granted, that the Second District Court of Appeal's decision in this case is quashed, and this matter is remanded to the district court with instructions that the case be further remanded for resentencing in conformance with sections 775.082, 921.1401, and 921.1402 of the Florida Statutes. See Atwell v. State, 41 Fla. L. Weekly S244 (Fla. May 26, 2016).

No Motion for Rehearing will be entertained by the Court.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON, and PERRY, JJ., concur.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

lc
Served:

ELBA CARIDAD MARTIN-SCHOMAKER
IRA DEMETRIUS MCPHERSON
HON. MARY BETH KUENZEL, CLERK
HON. DEBRA KROCHTA BEHNKE, JUDGE
CONSIGLIA TERENZIO
HON. PAT FRANK, CLERK